

REMARKS

Applicants have amended their claims herein to better clarify the invention. Claims 1, 7, 13, and 19, are amended herein to recite a feed consisting of 73.5 weight percent dried citrus pulp, 21.5 weight percent Vitamin C, and 5 weight percent molasses. Support can be found in the Specification on Page 16 at Lines 15-22.

Claims 1, 7, 13, and 19, are further amended herein to recite orally administering said feed one time to said animal about 16 hours prior to harvest. Support can be found in the Specification on Page 16 at Line 23 through Page 18 at Line 20.

No new matter has been entered. Reexamination and reconsideration of the application, as amended, is respectfully requested.

Claims 1-3, 5-9, 11-15, 17-21, 23 and 24, stand rejected under 35 USC 103(a) as being unpatentable over Miller et al. (U.S. Pat. No. 5,022,566) in view of Seib et al. (U.S. Pat. No. 4,647,672), and Claycamp et al. (U.S. Pub. No. 2002/0136778).

Claims 1, 4, 7, 10, 13, 16, 19, and 22, stand rejected under 35 USC 103(a) as being unpatentable over Miller et al. in view of Kirschner et al. (U.S. Pat. No. 6,352,713).

Applicants respectfully submit that neither Miller et al., nor Seib et al., nor Claycamp et al., nor Kirschner et al., singly or in combination, teach use of a feed consisting of 73.5 weight percent dried citrus pulp, 21.5 weight percent Vitamin C, and 5 weight percent molasses, as recited in claims 1, 7, 13, and 19, as amended herein. In addition, Applicants respectfully submit that neither Miller et al., nor Seib et al., nor Claycamp et al., nor Kirschner et al., singly or in combination, teach orally administering Applicants' feed one time to an animal about 16 hours prior to harvest. This being the case, Applicants further respectfully submit that claims

1, 7, 13, and 19, as amended herein, are patentable over the teachings of Miller et al., Seib et al., Claycamp et al., and/or Kirschner et al.

Claims 2-4, as amended herein, depend, directly or indirectly, from claim 1, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, "a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers." "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants further respectfully submit that claims 2-4 are patentable over the teachings of Miller et al., Seib et al., Claycamp et al., and/or Kirschner et al.

Claims 8-10, as amended herein, depend, directly or indirectly, from claim 7, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, "a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers." "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants further respectfully submit that claims 8-10 are patentable over the teachings of Miller et al., Seib et al., Claycamp et al., and/or Kirschner et al.

Claims 14-16, as amended herein, depend, directly or indirectly, from claim 13, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, "a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers." "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988).

Applicants further respectfully submit that claims 14-16 are patentable over the teachings of Miller et al., Seib et al., Claycamp et al., and/or Kirschner et al.

Claims 20-22, as amended herein, depend, directly or indirectly, from claim 19, as amended herein. Under 35 U.S.C. § 112, fourth paragraph, "a claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers." "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." MPEP 2143.03; *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed.Cir. 1988). Applicants further respectfully submit that claims 20-22 are patentable over the teachings of Miller et al., Seib et al., Claycamp et al., and/or Kirschner et al.

Having dealt with all of the outstanding objections and/or rejections of the claims, Applicants submit that the application as amended is in condition for allowance, and an allowance at an early date is respectfully solicited. In the event there are any fee deficiencies or additional fees are payable, please charge them, or credit an overpayment, to our Deposit Account No. 170055.

Respectfully submitted,

/Dale F. Regelman/

Dale F. Regelman, Ph.D.
Attorney for Applicants
Reg. No. 45,625

QUARLES & BRADY LLP
One South Church Avenue
Tucson, Arizona 85701

TEL 520-770-8703
FAX 520-770-2233

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is herewith being electronically transmitted via Electronic Filing System to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

/Reena Mendez/

Signature

March 9, 2009

Date of Signature

QUARLES & BRADY LLP
One South Church Avenue
Tucson, Arizona 85701

TEL 520-770-8703
FAX 520-770-2233